

## REMARKS

### Application Status

This application was deemed abandoned for failure to reply to an Office action mailed on October 15, 2004. This Amendment and Remarks document accompanies a Petition to revive the application.

### Examiner Interview

Two telephonic interviews were conducted on August 4, 2004, and August 18, 2004 regarding the above-captioned application. The interview participants were Kathleen Kerr and Darla Yoerg. Applicant thanks the Examiner for the courtesy extended in the interview.

The status of the application was discussed. The discussion included the reasons for abandonment and possible revival of the application. Ms. Yoerg indicated that Applicant would be petitioning to revive the application.

### Objections to the Specification

The specification has been objected to as having a title that is not descriptive. As suggested by the Examiner, the title of the application has been amended to read "Polynucleotides Encoding Methionyl tRNA Synthetase from *Staphylococcus aureus*, Related Products and Methods."

The Abstract has been objected to as not being complete. As suggested by the Examiner, the Abstract has been amended to refer to the full name of the enzyme, methionyl tRNA synthetase, and the source organism, *Staphylococcus aureus*.

The specification has been rejected for having inconsistent citations on pages 29-30. As suggested by the Examiner, the specification has been amended at these pages to remove the superscript references and reference section, and to replace them with reference material in parentheses immediately following the passage.

It is believed that the amendments made to the title, abstract and specification are sufficient to overcome the Examiner's objections.

### Allowed Claims

Applicant acknowledges with thanks the Examiner's determination that claims 46, 47, 50-52 and 56-58 are allowed.

### Claim Objections and Rejections

Claim 65 is objected to as being a duplicate of Claim 50 or 52.

Claims 65-69 are objected to for depending from a rejected claim.

Claims 26, 49, 53, 54, 60-64, and 70-91 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly not complying with the written description requirement.

Claims 26, 49, 53, 54, 60-64, and 70-91 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly not complying with the enablement requirement.

Claims 26, 49, 53, 54, 59, 64-74 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant does not acquiesce in the Examiner's reasoning; however, solely in the interest of expediting prosecution, claims 26, 49, 53, 54, 59-91 have been cancelled. Applicant reserves the right to prosecute the cancelled subject matter in a continuing application.

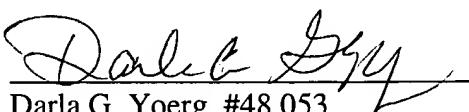
### Closing Remarks

Applicant believes that the application is in condition for allowance. If it would be helpful to obtain favorable consideration of this case, the Examiner is encouraged to call and discuss this case with the undersigned.

This constitutes a request for any needed extension of time and an authorization to charge all fees therefore to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,

Date: August 31, 2004

  
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